

116TH CONGRESS
1ST SESSION

H. R. 3395

To amend the Federal Election Campaign Act of 1971 to clarify the treatment of information sought or obtained for political advantage from foreign nationals, to require political committees under such Act to acknowledge in writing that they are aware of the provisions of such Act which prohibit the solicitation, acceptance, or receipt of money and other things of value from foreign nationals in elections, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2019

Mr. SCHIFF introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Federal Election Campaign Act of 1971 to clarify the treatment of information sought or obtained for political advantage from foreign nationals, to require political committees under such Act to acknowledge in writing that they are aware of the provisions of such Act which prohibit the solicitation, acceptance, or receipt of money and other things of value from foreign nationals in elections, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Prohibiting Foreign
3 Election Assistance Act of 2019”.

4 **SEC. 2. TREATMENT OF INFORMATION SOUGHT OR OB-**
5 **TAINED FOR POLITICAL ADVANTAGE FROM**
6 **FOREIGN NATIONALS.**

7 (a) CLARIFICATION OF TREATMENT AS THING OF
8 VALUE FOR PURPOSES OF FOREIGN MONEY BAN.—Sec-
9 tion 319(a)(1)(A) of the Federal Election Campaign Act
10 of 1971 (52 U.S.C. 30121(a)(1)(A)) is amended by strik-
11 ing “or other thing of value” and inserting “or other thing
12 of value (including information sought or obtained for po-
13 litical advantage)”.

14 (b) ENHANCED PENALTY FOR VIOLATION.—

15 (1) IN GENERAL.—Section 309(d)(1) of such
16 Act (52 U.S.C. 30109(d)(1)) is amended by adding
17 at the end the following new subparagraph:

18 “(E) Any person who knowingly and willfully com-
19 mits a violation of section 319 which involves the making,
20 solicitation, acceptance, or receipt of any contribution, do-
21 nation, or expenditure involving information sought or ob-
22 tained for political advantage, shall be fined under title
23 18, United States Code, or imprisoned for not more than
24 5 years, or both.”.

25 (2) EFFECTIVE DATE.—The amendment made
26 by paragraph (1) shall apply with respect to con-

1 tributions, donations, and expenditures which are
2 made, solicited, accepted, or received on or after the
3 date of the enactment of this Act.

4 **SEC. 3. REQUIRING ACKNOWLEDGMENT OF FOREIGN**
5 **MONEY BAN BY POLITICAL COMMITTEES.**

6 (a) PROVISION OF INFORMATION BY FEDERAL ELEC-
7 TION COMMISSION.—Section 303 of the Federal Election
8 Campaign Act of 1971 (52 U.S.C. 30103) is amended by
9 adding at the end the following new subsection:

10 “(e) ACKNOWLEDGMENT OF FOREIGN MONEY
11 BAN.—

12 “(1) NOTIFICATION BY COMMISSION.—Not later
13 than 30 days after a political committee files its
14 statement of organization under subsection (a), and
15 biennially thereafter until the committee terminates,
16 the Commission shall provide the committee with a
17 written explanation of section 319.

18 “(2) ACKNOWLEDGMENT BY COMMITTEE.—

19 “(A) IN GENERAL.—Not later than 30
20 days after receiving the written explanation of
21 section 319 under paragraph (1), the committee
22 shall transmit to the Commission a signed cer-
23 tification that the committee has received such
24 written explanation and has provided a copy of

1 the explanation to all members, employees, con-
2 tractors, and volunteers of the committee.

3 “(B) PERSON RESPONSIBLE FOR SIGNA-
4 TURE.—The certification required under sub-
5 paragraph (A) shall be signed—

6 “(i) in the case of an authorized com-
7 mittee of a candidate, by the candidate; or

8 “(ii) in the case of any other political
9 committee, by the treasurer of the com-
10 mittee.”.

11 (b) EFFECTIVE DATE; TRANSITION FOR EXISTING
12 COMMITTEES.—

13 (1) IN GENERAL.—The amendment made by
14 subsection (a) shall apply with respect to political
15 committees which file statements of organization
16 under section 303 of the Federal Election Campaign
17 Act of 1971 (52 U.S.C. 30103) on or after the date
18 of the enactment of this Act.

19 (2) TRANSITION FOR EXISTING COMMITTEES.—

20 (A) NOTIFICATION BY FEDERAL ELECTION
21 COMMISSION.—Not later than 90 days after the
22 date of the enactment of this Act, the Federal
23 Election Commission shall provide each political
24 committee under such Act with the written ex-
25 planation of section 319 of such Act, as re-

1 required under section 303(e)(1) of such Act (as
2 added by subsection (a)).

3 (B) ACKNOWLEDGMENT BY COMMITTEE.—

4 Not later than 30 days after receiving the writ-
5 ten explanation under subparagraph (A), each
6 political committee under such Act shall trans-
7 mit to the Federal Election Commission the
8 signed certification, as required under section
9 303(e)(2) of such Act (as added by subsection
10 (a)).

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